

IN THE UNITED STATES DISTRICT COURT FOR THE
WESTERN DISTRICT OF MISSOURI
WESTERN DIVISION

UNITED STATES OF AMERICA,)	
)	
Plaintiff,)	
)	
v.)	Case No. 21-00238-CR-W-HFS
MYRON J. TOOMBS,)	
)	
)	
Defendant.)	

ORDER

A competency hearing was conducted on March 9, 2023, and Magistrate Judge W. Brian Gaddy considered the forensic evaluation report prepared by Haley Wentowski, Psy.D., and filed with the court on February 7, 2023 (Doc. 26). In that report, Dr. Wentowski opined that although defendant was previously diagnosed with a substance-induced psychotic disorder¹, he no longer met that criteria. (Doc. 26, p. 16). At the hearing, both Government and defense counsel confirmed receipt of the current psychiatric report and certificate of restoration, and stipulated that the report could be considered as if Dr. Wentowski appeared in person and testified under oath; neither party presented additional evidence or argument on defendant's restoration or current competency to proceed. (Doc. 31, p. 2). Based on the record and uncontroverted evidence, and after conducting its own independent review of the record, Judge Gaddy determined that defendant's competency to stand trial was restored and

¹ Based on a prior psychiatric report. (Doc. 19).

defendant was competent to understand the nature and consequence of the proceedings against him and to properly assist in his defense. (Doc. 31, pp. 2-3).

Counsel waived the filing of any objections, thus, the findings and conclusions in the Report and Recommendation (Doc. 31) is ADOPTED by the undersigned.

/s/ Howard F. Sachs
HOWARD F. SACHS
United States District Judge

Dated: March 27, 2023
Kansas City, Missouri